

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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John Parker, Individually and on behalf of all	:	
others similarly situated,	:	
	:	
Plaintiff,	:	CIVIL ACTION NO.: 1:17-cv-397
	:	(GTS/CFH)
-against-	:	
Savage Fueling Corporation,	:	NOTICE OF MOTION
	:	
Defendant.	:	
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PLEASE TAKE NOTICE that, upon the Declaration of Chuck Schwab, Senior Vice President of People Operation, dated May 25, 2017, and the accompanying Memorandum of Law filed simultaneously herewith, Defendant Savage Fueling Corporation (“Defendant”), by its attorneys, DLA Piper LLP (US), will move before the Honorable Chief Judge Glenn T. Suddaby, United States District Judge, of the United States District Court, Northern District of New York, at Federal Building and U.S. Courthouse, P.O. Box 7367, Syracuse, New York 13261-7367, on July 6, 2017, at 10:00 a.m., for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6) to dismiss with prejudice Counts II and III of Plaintiff’s Complaint and for such other and further relief as the Court deems just and proper. The grounds upon which Defendant seeks relief are set forth in detail in the accompanying Memorandum of Law.

Dated: New York, New York.
May 26, 2017

Respectfully submitted,

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